

Losing Faith? Police, Black Churches, and the Resurgence of Youth Violence in Boston

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I. INTRODUCTION

Boston received national acclaim for its innovative approach to preventing youth violence in the 1990s.¹ The well-known Operation Ceasefire initiative was an interagency violence prevention intervention that focused enforcement and social service resources on a small number of gang-involved offenders at the heart of the city's youth violence problem.² The Ceasefire strategy was associated with a near two-thirds drop in youth homicide in the late 1990s.³ While the sudden decrease in youth homicide was surprising and certainly newsworthy, the Boston approach was also noted for its extraordinary police-community relationship spearheaded by the Ten Point Coalition of activist black clergy.⁴ The involvement of black ministers in the Ceasefire strategy provided a mechanism of transparency and accountability to the minority community that conferred the legitimacy

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¹ See, e.g., Fox Butterfield, *In Boston, Nothing is Something*, N.Y. TIMES, Nov. 21, 1996, at A20; Gordon Witkin, *Sixteen Silver Bullets: Smart Ideas to Fix the World*, U.S. NEWS & WORLD REP., Dec. 29, 1997, at 67; Charles Radin, *Reaching Up Against Crime: Partnerships, Awareness, Behind Boston's Success*, BOSTON GLOBE, Feb. 19, 1997, at A1.

² David Kennedy, Anne Piehl & Anthony Braga, *Youth Violence in Boston: Gun Markets, Serious Youth Offenders, and a Use-Reduction Strategy*, 59 LAW & CONTEMP. PROBS. 147, 147-96 (1996); Anthony Braga et al., *Problem-Oriented Policing, Deterrence, and Youth Violence: An Evaluation of Boston's Operation Ceasefire*, 38 J. RES. IN CRIME & DELINQ. 195, 195-225 (2001).

³ Braga et al., *supra* note 2, at 204.

⁴ Christopher Winship & Jenny Berrien, *Boston Cops and Black Churches*, 136 PUB. INT. 52, 52-68 (1999); Jenny Berrien & Christopher Winship, *An Umbrella of Legitimacy: Boston's Police Department—Ten Point Coalition Collaboration*, in SECURING OUR CHILDREN'S FUTURE: NEW APPROACHES TO JUVENILE JUSTICE AND YOUTH VIOLENCE 215 (Gary Katzmann ed., 2002).

necessary to pursue aggressive intervention with high-risk youth.⁵ Given the history of poor race relations in the City of Boston, it was remarkable that any group of black community members were able to forge such a highly productive partnership with the Boston Police Department.⁶

Unfortunately, since the glory days of the 1990s, the so-called "Boston Miracle" appears to have unraveled.⁷ Over the course of the early years of the new millennium, youth violence has, once again, risen dramatically in Boston. Given this rise, the obvious question is whether the Boston approach to youth violence is as effective as previously thought. Put in other words, has the period since 2000 provided a test of the Boston model with a negative evaluation now being warranted given the rise in violence during the part of this past decade?

In this paper, we address the above question by presenting an analysis of recent efforts by the Boston Police Department and Ten Point Coalition to prevent youth violence. Our basic conclusion is not that the Boston model of the 1990s has failed, but rather that the City of Boston and the Boston Police failed to pursue the policies and practices that had been so successful during the late 1990s.⁸

We begin our analysis by briefly describing the "Boston Miracle" of the 1990s. We then document the key parallels between the youth violence epidemics in the 1990s and the 2000s, delineate strategic changes and problems in relationships in the Boston Police Department and Ten Point Coalition, and describe the negative effects of the changes in these organizations as measured by citizen complaints against the police data and citizen public safety survey data. We conclude the paper by documenting recent efforts to reclaim Boston's legacy from the 1990s, and commenting on the lessons learned from the evolving capacity of the Boston Police and black clergy to prevent youth violence.

It is important to note here that this paper focuses on the experience of two key organizations, the Boston Police Department and the Ten Point Coalition of activist black clergy, in responding to one serious crime problem—gang-related youth violence in Boston between the early 1990s and 2006. Both organizations have significant responsibilities beyond preventing gang violence and this paper does not examine their performance in dealing with a broader range of public problems. It is also important to note that numerous other organizations, such as the Boston streetworker program (city-employed gang outreach workers), Massachusetts Probation, Suffolk County District Attorney's Office, federal law

⁵ Winship & Berrien, *supra* note 4, at 64; Anthony Braga & Christopher Winship, *Partnership, Accountability, and Innovation: Clarifying Boston's Experience with Pulling Levers*, in POLICE INNOVATION: CONTRASTING PERSPECTIVES 171, 180 (David Weisburd & Anthony Braga eds., 2006).

⁶ Winship & Berrien, *supra* note 4, at 59; Berrien & Winship, *supra* note 4, at 205.

⁷ Christopher Winship, *End of the Miracle? Crime, Faith, and Partnership in Boston in the 1990s*, in LONG MARCH AHEAD: AFRICAN AMERICAN CHURCHES AND PUBLIC POLICY IN POST CIVIL RIGHTS AMERICA 171 (R. Drew Smith ed., 2005).

⁸ Mark A.R. Kleiman, *Policing Boston's Violence*, BOSTON GLOBE, Apr. 16, 2002, at A21; David M. Kennedy, *We Can Make Boston Safe Again*, BOSTON GLOBE, July 15, 2002, at A11.

enforcement agencies, and other community-based organizations played important roles in reducing gang violence during the 1990s. Regrettably, a summary of the individual trajectories of these agencies over the study time period is beyond the scope of this inquiry.

II. YOUTH VIOLENCE IN THE 1990S AND THE "BOSTON MIRACLE"

Like many American cities during the late 1980s and early 1990s, Boston suffered an epidemic of youth violence that had its roots in the rapid spread of street-level crack-cocaine markets.⁹ Measured as a homicide problem, Boston experienced a dramatic increase in the number of youth victims ages 24 and under¹⁰ (Figure 1). During the "pre-epidemic" years of 1980 through 1988, Boston averaged approximately 28 youth homicides per year. The number of youth homicides increased to 40 victims in 1989 and peaked at 73 victims in 1990. While youth homicide subsequently decreased from the peak year, the yearly number of victims never returned to levels of the pre-epidemic years. Between 1991 and 1995, Boston averaged nearly 45 youth homicides per year.¹¹ The city remained in crisis over its youth violence problem.¹²

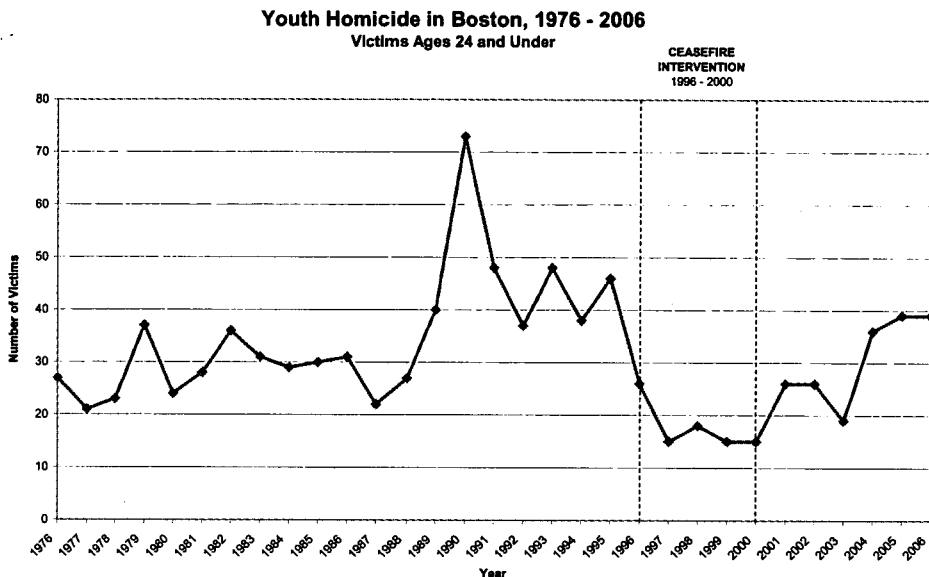
⁹ Like many American cities, Boston experienced a dramatic increase in serious violence after crack-cocaine first arrived on the streets in 1986. Boston youth gangs became involved in the lucrative street level drug trade and used guns to settle disputes in drug market settings. See Kennedy et al., *supra* note 2, at 152; Anthony Braga, *Serious Youth Gun Offenders and the Epidemic of Youth Violence in Boston*, 19 J. QUANTITATIVE CRIMINOLOGY 33, 33–54 (2003).

¹⁰ Throughout this paper, the term "youth" refers to individuals ages 24 and under.

¹¹ After street crack-cocaine markets stabilized, drug-related violence decreased in Boston. Unfortunately, serious gun violence had become "decoupled" from the crack trade. Guns were used by Boston youth to settle disputes that were once dealt with by fists, sticks, and knives. Kennedy et al., *supra* note 2, at 157; Braga, *supra* note 9, at 34.

¹² During the early 1990s, the City of Boston launched many innovative approaches to reduce youth violence, including a new streetworker program to provide social services to at-risk youth on the street, police-probation partnerships to monitor high-risk youth probationers, and partnerships with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) to shut down illegal gun markets. During this time period, the Boston Police Department also made significant strides in implementing a comprehensive community policing program that assigned police officers to work with community members in specific neighborhoods (called "Same Cop, Same Neighborhood"). While these programs did not have a noticeable impact on youth violence in Boston, the new relationships and operational capacities certainly paved the way for the Operation Ceasefire program. Braga & Winship, *supra* note 5, at 178–79.

Figure 1.



Unfortunately, the Boston Police Department was ill-equipped to deal with the sudden increase in serious youth violence. Boston Police relied upon highly aggressive and often imprudent policing tactics to deal with street gang violence.¹³ A series of well-publicized scandals emanating from an indiscriminate policy of stopping and frisking all black males in high-crime areas outraged Boston's black community.¹⁴ These scandals led to the establishment of the St. Clair Commission, an independent committee appointed to investigate the policies and practices of the Boston Police.¹⁵ In 1992 the Commission released its report, which cited widespread corruption and incompetent management and called for extensive reform including the replacement of top personnel.¹⁶

¹³ Winship & Berrien, *supra* note 4, at 56; Berrien & Winship, *supra* note 4, at 206.

¹⁴ Perhaps the most important was the 1989 murder of Carol Stuart, a pregnant white woman on her way home from Boston City Hospital. Initially, Charles Stuart, the victim's husband who was the actual murderer, led Boston Police investigators to believe that the murderer was a black male. The police responded by blanketing the Mission Hill housing projects for a suspect. Abusive police conduct was reported to be widespread as coerced statements led to the wrongful arrest of a black male. The black community and the local media were outraged and condemned the discriminatory actions of the investigating officers. Winship & Berrien, *supra* note 4, at 55.

¹⁵ *Id.* at 56.

¹⁶ *Id.* at 57.

In response, the Boston Police overhauled its organization, mission, and tactics during the early 1990s.¹⁷ The existing command staff, including the Commissioner, were replaced with new officers who were known to be innovative and hardworking; investments were made to improve the Department's technology to understand crime problems; a neighborhood policing plan was implemented; and beat-level officers were trained in the methods of community and problem-oriented policing. In 1991, the Anti-Gang Violence Unit (AGVU) was created and charged with disrupting ongoing gang conflicts rather than following the past policy of simply arresting as many offenders as possible. By 1994, the AGVU evolved into the Youth Violence Strike Force (YVSF), an elite unit of some 40 officers and detectives, and its mandate was broadened beyond controlling outbreaks of gang violence to more general youth violence prevention. While these changes were important in creating an environment where the police could collaborate with the community, residents of Boston's poor minority neighborhoods remained wary of and dissatisfied with a police department that had a long history of abusive and unfair treatment.

In 1992, a loosely allied group of activist black clergy formed The Ten Point Coalition after a gang invasion of the Morningstar Baptist Church.¹⁸ During a memorial for a slain gang member, members of a rival gang attacked mourners with knives and guns. In the wake of that outrage, the Ten Point Coalition ministers decided they should attempt to prevent the youth in their community from joining gangs, and also that they needed to send an anti-violence message to all youth, whether gang-involved or not. Initially, the ministers assumed an adversarial role to the Boston Police and were highly critical in the public media of police efforts to prevent youth violence. However, as the ministers worked the streets, they started to form effective relationships with particular YVSF officers and develop a shared understanding of the nature of youth violence in Boston. Increasingly, ministers and YVSF officers found themselves in agreement that only a small number of youth in the neighborhoods were involved in violence, that many of these gang-involved youth were better served by intervention and prevention strategies, and only a small number needed to be removed from the streets through arrest and prosecution strategies.

As the relationship developed, the Ten Point ministers began to shelter the police from broad public criticism when the police were engaged in activities the ministers deemed to be of interest to the community and its youth.¹⁹ The ministers

¹⁷ Winship & Berrien, *supra* note 4, at 57; Braga & Winship, *supra* note 5, at 180.

¹⁸ Winship & Berrien, *supra* note 4, at 59; Berrien & Winship, *supra* note 4, at 209; David Kennedy et al., *Developing and Implementing Operation Ceasefire*, in REDUCING GUN VIOLENCE: THE BOSTON GUN PROJECT'S OPERATION CEASEFIRE 10 (2001).

¹⁹ In 1995, Paul McLaughlin, a local gang prosecutor who was white, was murdered on his way home from work. The initial description of the assailant ("young black male wearing a hooded sweatshirt and baggy pants") was vague enough to cause concern by many in the black community that an "open season on young black males" similar to that during the Carol Stuart investigation would occur. Fortunately, these initial fears were unfounded as the black ministers and the Boston

also helped the Boston Police manage negative publicity by the local media after several potentially explosive events ranging from the beating of a black undercover officer by uniformed police officers²⁰ to the accidental death of a 75-year-old retired minister who suffered a fatal heart attack during a botched drug raid.²¹ The relationship between Boston Police and black clergy was a new mechanism of police accountability that was necessary in order to create trust that new programs would be beneficial to the community.²² This trust was essential for establishing needed community and political support for innovative efforts by the Boston Police.

The forerunner to Operation Ceasefire was the Boston Gun Project, a problem-oriented policing project aimed at preventing and controlling serious youth violence.²³ The problem analysis phase of the Project began in early 1995 and the Operation Ceasefire strategy was implemented in mid-1996. The trajectory of the Project and of Ceasefire has been extensively documented.²⁴ Briefly, a problem-solving working group of law enforcement personnel, youth workers, and researchers diagnosed the youth violence problem in Boston as one of patterned, largely vendetta-like hostility amongst a small population of highly active criminal offenders, and particularly amongst those involved in some 60 loose, informal, mostly neighborhood-based gangs.²⁵ Only one percent of Boston youth participated in youth gangs, but these youth generated at least 60% of youth homicide in the city.²⁶ Based on the problem analysis findings, the Boston Gun

Police supported each other in the handling of the media and the ensuing investigation. The black ministers publicly praised the police for showing restraint in their conduct and the police praised the ministers for their willingness to provide help and keep the community calm. Winship & Berrien, *supra* note 4, at 60–61; Braga & Winship, *supra* note 5, at 181.

²⁰ Richard Chacon, *Boston Police Investigators Seek Cause of Undercover Officer's Injuries*, BOSTON GLOBE, Feb. 4, 1995, at 22.

²¹ J. Mallia & M. Mulvihill, *Minister Dies as Cops Raid Wrong Apartment*, BOSTON HERALD, Mar. 26, 1994, at A1.

²² Braga & Winship, *supra* note 5, at 180.

²³ Problem-oriented policing works to identify *why* things are going wrong and to frame responses using a wide variety of innovative approaches. Using a basic iterative approach of problem identification, analysis, response, assessment, and adjustment of the response, this adaptable and dynamic analytic approach provides an appropriate framework to uncover the complex mechanisms at play in crime problems and to develop tailor-made interventions to address the underlying conditions that cause crime problems. See HERMAN GOLDSTEIN, PROBLEM-ORIENTED POLICING 32 (1990); JOHN ECK & WILLIAM SPELMAN, PROBLEM-SOLVING: PROBLEM-ORIENTED POLICING IN NEWPORT NEWS 7 (1987); ANTHONY BRAGA, PROBLEM-ORIENTED POLICING AND CRIME PREVENTION 14 (2002).

²⁴ Kennedy et al., *supra* note 2, at 164; Kennedy et al., *supra* note 18, at 28.

²⁵ David Kennedy, Anthony Braga & Anne Piehl, *The (Un)Known Universe: Mapping Gangs and Gang Violence in Boston*, in CRIME MAPPING AND CRIME PREVENTION 234 (David L. Weisburd & J. Thomas McEwen eds., 1997).

²⁶ *Id.*

Project working group crafted the Operation Ceasefire initiative that was tightly focused on disrupting ongoing conflicts among youth gangs.

The YVSF coordinated the actions of Operation Ceasefire. An interagency working group was convened on a bi-weekly basis to address outbreaks of serious gang violence. This working group was comprised of law enforcement personnel, youth workers, and, as the operation expanded, Ten Point Coalition clergy. It drew upon an existing "network of capacity" consisting of dense and productive relationships that were established as Boston attempted to come to grips with its youth violence epidemic.²⁷ Operation Ceasefire's "pulling levers" strategy was designed to deter gang violence by reaching out directly to gangs, stating explicitly that violence would no longer be tolerated, and backing up that message by "pulling every lever" legally available when violence occurred.²⁸ These law enforcement levers included disrupting street-level drug markets, serving warrants, mounting federal prosecutions, and changing the conditions of community supervision for probationers and parolees in the targeted group. Simultaneously, youth workers, probation and parole officers, and clergy offered gang members services and other kinds of help. If gang members wanted to step away from a violent lifestyle, the Ceasefire working group focused on providing them with the services and opportunities necessary to make the transition.

The working group delivered its anti-violence message in formal meetings with gang members; through individual police and probation contacts with gang members; through meetings with inmates of secure juvenile facilities in the city; and through gang outreach workers.²⁹

The deterrence message was not a deal with gang members to stop violence. Rather, it was a promise to gang members that violent behavior would evoke an immediate and intense

²⁷ This interagency working group included the Boston Police Department, Harvard University researchers, Ten Point Coalition, Boston Streetworkers program, Department of Youth Services (juvenile corrections), Massachusetts Probation, Massachusetts Parole, Boston School Police, Suffolk County District Attorney's Office, U.S. Attorney's Office, ATF, and other criminal justice, social service, and community-based agencies as needed. Collaborations that span the boundaries that divide criminal justice agencies from one another, criminal justice agencies from human service agencies, and criminal justice agencies from the community are necessary to legitimize, fund, equip, and operate complex strategies that are most likely to succeed in both controlling and preventing youth violence. Building upon the solid working relationships that were developed before 1995, the Operation Ceasefire working group created a very powerful "network of capacity" to prevent youth violence. This network was well positioned to launch an effective response to youth violence because criminal justice agencies, community groups, and social service agencies coordinated and combined their efforts in ways that could magnify their separate effects. Braga & Winship, *supra* note 5, at 178.

²⁸ David Kennedy, *Pulling Levers: Chronic Offenders, High-Crime Settings, and a Theory of Prevention*, 31 VAL. U. L. REV. 449, 449-84 (1997); David Kennedy, *Old Wine in New Bottles: Policing and the Lessons of Pulling Levers*, in POLICE INNOVATION: CONTRASTING PERSPECTIVES 155 (David Weisburd & Anthony Braga eds., 2006).

²⁹ Kennedy et al., *supra* note 18, at 35.

response. If gangs committed other crimes but refrained from violence, the normal workings of police, prosecutors, and the rest of the criminal justice system dealt with these matters.³⁰

But if gang members hurt people, the working group focused its enforcement actions on them. A large reduction in the yearly number of Boston youth homicides followed immediately after Operation Ceasefire was implemented in mid-1996. This reduction was sustained for the next five years (see Figure 1). A U.S. Department of Justice-sponsored evaluation of Operation Ceasefire reported that the intervention was associated with a 63% decrease in the monthly number of Boston youth homicides, a 32% decrease in the monthly number of shots-fired calls, a 25% decrease in the monthly number of gun assaults, and, in one high-risk police district given special attention in the evaluation, a 44% decrease in the monthly number of youth gun assault incidents.³¹ The evaluation also suggested that Boston's significant youth homicide reduction associated with Operation Ceasefire was distinct when compared to youth homicide trends in most major U.S. and New England cities.³² The Ceasefire program, as designed, was in place until 2000.

III. THE NATURE AND CAUSES OF BOSTON'S RESURGENCE IN YOUTH VIOLENCE, 2000–2006

A. Introduction

Boston's resurgence in youth violence shares many of the same characteristics of the epidemic of the late 1980s and early 1990s. Soon after the Ceasefire interventions ended, the yearly number of youth homicides increased from 15 victims in 2000 to 26 victims in both 2001 and 2002, and then skyrocketed to 39 victims in 2006 (Figure 1). Between 2000 and 2006, Boston youth homicide had

³⁰ Anthony Braga et al., *Problem-Oriented Policing, Deterrence, and Youth Violence: An Evaluation of Boston's Operation Ceasefire*, 38 J. RES. IN CRIME & DELINQ. 195, 199–200 (2001).

³¹ Braga et al., *supra* note 2, at 207.

³² Braga et al., *supra* note 2, at 215. The National Academies' Panel on Improving Information and Data on Firearms concluded that the Ceasefire evaluation was compelling in associating the intervention with the subsequent decline in youth homicide. FIREARMS AND VIOLENCE: A CRITICAL REVIEW 238 (Charles Wellford, John Pepper & Carol Petrie eds., 2005). However, the Panel also suggested that many complex factors affect youth homicide trends and it was difficult to specify the exact relationship between the Ceasefire intervention and subsequent changes in youth offending behaviors. While the National Institute of Justice (NIJ)-sponsored evaluation controlled for existing violence trends and certain rival causal factors such as changes in the youth population, drug markets, and employment in Boston, there could be complex interaction effects among these factors not measured by the evaluation that could account for some meaningful portion of the decrease. See also Jeffrey Fagan, *Policing Guns and Youth Violence*, 12 FUTURE CHILD. 133, 133–51 (2002); Richard Rosenfeld, Robert Formango & Eric Baumer, *Did Ceasefire, Compstat, and Exile Reduce Homicide?*, 4 CRIMINOLOGY AND PUB. POL'Y 419, 419–50 (2005).

increased by 160%. As in the 1990s, firearms were the weapons of choice over the course of this new epidemic of youth violence.³³ Eighty percent of the youth homicide victims during this time period were killed by firearms (166 of 207 youth victims). Fatal and non-fatal shootings also increased dramatically over this same time period (Figure 2). Similar to the trajectory of Boston youth homicides, the yearly number of shootings increased modestly between 2000 (162) and 2003 (177), followed by much larger increases in 2004 (268), 2005 (341), and 2006 (377). Between 2000 and 2006, the yearly number of shootings had increased by 133%. Most of the shootings were concentrated in a small number of gun violence hot spots in Boston's disadvantaged, predominately minority neighborhoods of Dorchester, Mattapan, and Roxbury.³⁴ These gun violence hot spots covered only 5.1% of Boston's 48.4 square miles, but generated nearly 53% (199) of the 377 fatal and non-fatal shootings in 2006 (Figure 3).

³³ Firearms have long been noted as the weapon of choice in urban youth violence. See, e.g., Alfred Blumstein, *Youth Violence, Guns, and the Illicit Drug Industry*, 86 J. CRIM. L. & CRIMINOLOGY 10, 10–36 (1995); see also Philip J. Cook & John Laub, *After the Epidemic: Recent Trends in Youth Violence in the United States*, 29 CRIME & JUST. REV. RES. 1, 26 (2002).

³⁴ Research has consistently demonstrated that a very small number of “hot spot” locations generate a bulk of urban crime problems. In Minneapolis, for instance, 5% of the addresses generated more than 50% of citizen emergency calls for service to the police. Lawrence Sherman, Patrick Gartin & Michael Buerger, *Hot Spots of Predatory Crime: Routine Activities and the Criminology of Place*, 27 CRIMINOLOGY 27, 27–56, 38 (1989). Boston gun violence hot spot locations were identified using kernel density spatial analysis tools available in ArcView 9.2 computerized mapping software.

Figure 2.

Shootings in Boston, 1999 - 2006

Includes Gun Homicides and Non-Fatal Shootings

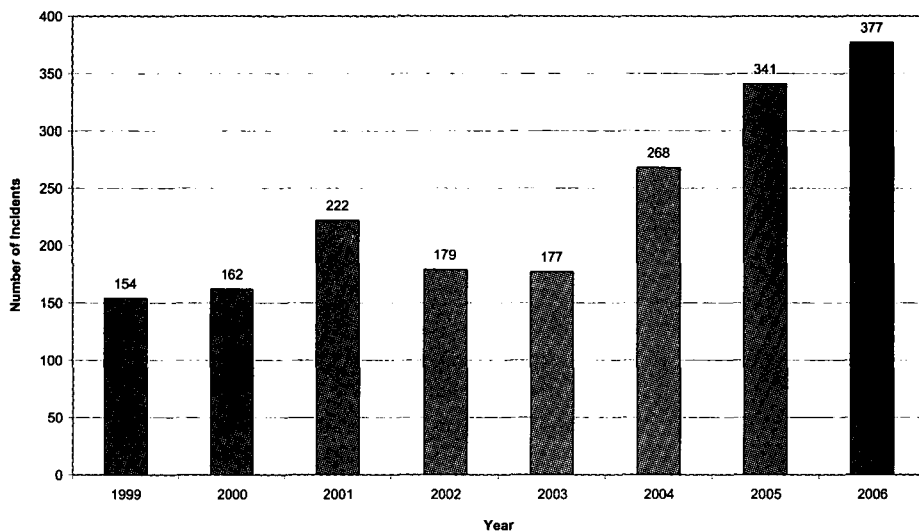
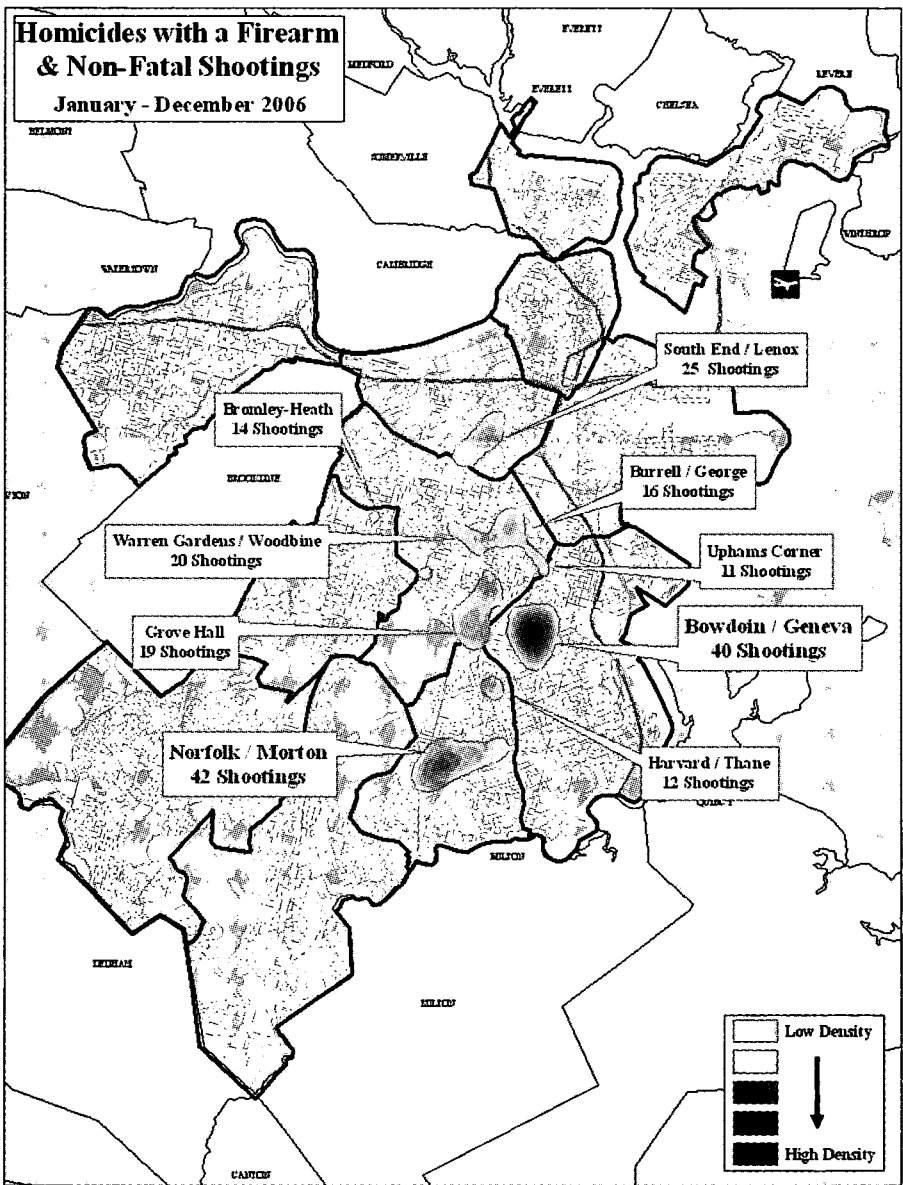


Figure 3.



Youth homicide victims and youth homicide offenders share essentially the same demographic characteristics.³⁵ Homicide victims were mostly male (92.8%, 192 of 207 youth victims) and largely from minority groups. The racial and ethnic breakdown of youth homicide victims was 75.4% Black non-Hispanic, 8.7% White Hispanic, 5.8% Black Hispanic, 5.3% White non-Hispanic, and 4.8% Asian or other ethnic groups. Arrested youth homicide offenders were also mostly male (95.9%, 116 of 121 youth offenders) and largely from minority groups. The racial and ethnic breakdown of youth homicide offenders was 71.9% Black non-Hispanic, 9.9% White non-Hispanic, 8.2% Asian or other ethnic groups, 6.6% White Hispanic, and 3.3% Black Hispanic. Both youth homicide victims and youth homicide offenders were mostly between the ages of 18 and 24. Only 23.2% of youth homicide victims (48 of 207) and 20.7% of youth homicide offenders (25 of 121) were ages 17 and under.

Boston youth homicide victims and youth homicide offenders were also very well-known to the criminal justice system before each homicide event.³⁶ Sixty-seven and one-tenth percent of youth homicide victims (139 of 207) and 86.8% of youth homicide offenders (105 of 121) had been arraigned at least once in Massachusetts State Courts before the homicide occurred. For those individuals who were previously known to the criminal and juvenile justice systems, youth homicide victims had, on average, 8.7 prior arraignments and youth homicide offenders had, on average, 7.1 prior arraignments. The prior criminal histories of both youth homicide victims and youth homicide offenders were characterized by a wide range of offense types including armed and unarmed violent offenses, illegal gun possession offenses, property offenses, drug offenses, and disorder offenses.³⁷ Youth homicide victims and youth homicide offenders had also been under some form of criminal justice system control before the homicide occurred. For youth homicide victims previously known to the justice system, 50.4% had been sentenced to serve time in an adult or juvenile correctional facility (70 of 139), 69.1% had previously been on probation before they were killed (96 of 139), and 30.9% were under active probation supervision at the time they were killed (43 of 139). Similarly, for youth homicide offenders previously known to the justice system, 55.2% had been sentenced to serve time in an adult or juvenile correctional facility (58 of 105), 57.1% had previously been on probation before they killed (60

³⁵ MARVIN WOLFGANG, PATTERNS IN CRIMINAL HOMICIDE 175-76 (1958); Janet Lauritsen, Robert Sampson & John Laub, *The Link Between Offending and Victimization Among Adolescents*, 29 CRIMINOLOGY 265, 265-91 (1991); Cook & Laub, *supra* note 33, at 12.

³⁶ A large body of research evidence documents the extensive prior criminal justice system involvement of an overwhelming majority of homicide offenders. See, e.g., WOLFGANG, *supra* note 35, at 88-105; Kennedy et al., *supra* note 2, at 160; A. SWERSEY & E. ENLOE, HOMICIDE IN HARLEM 5-15 (1975); Gary Kleck & David Bordua, *The Factual Foundation for Certain Key Assumptions of Gun Control*, 5 LAW & POL'Y Q. 271, 271-98 (1983).

³⁷ In the gang literature, this wide range of offending is described as "cafeteria-style" offending. MALCOLM KLEIN, THE AMERICAN STREET GANG 22 (1995).

of 105), and 25.7% were under active probation supervision at the time they killed (27 of 105).

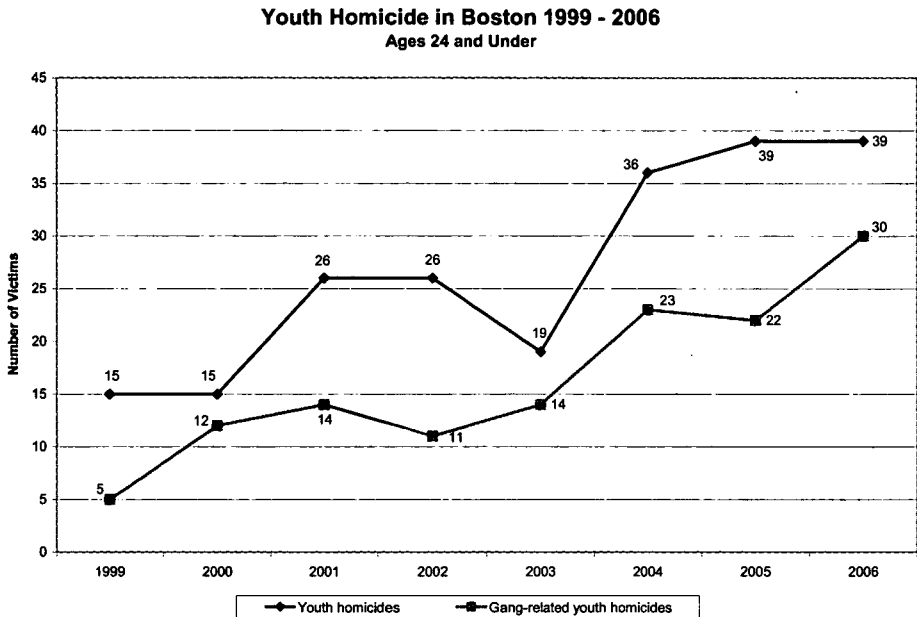
Much of the increase in youth homicide has been driven by a resurgence of gang violence in Boston (Figure 4).³⁸ In 1999, the last full year of Ceasefire intervention, there were only 5 gang-related youth homicides.³⁹ The number of gang-related youth homicides increased to 12 victims in 2000 and 14 victims in 2001, stayed relatively stable in 2002 and 2003, and then increased again to 23 victims in 2004, and peaked at 30 victims in 2006. Between 1999 and 2006, the number of gang-related youth homicides had increased six-fold. These gang-related youth homicides were personal and vendetta-like with many homicides representing an event in a larger series of retaliations between feuding groups.⁴⁰ Gang-related motives accounted for 76.9% of the 39 youth homicides in 2006. Boston gang members were also involved as either the perpetrator or victim in 70% of the shootings in 2006.

³⁸ Street gang violence tends to occur in cycles in most American cities. Malcolm Klein, *Street Gang Cycles*, in CRIME 217, 231 (James Q. Wilson & Joan Petersilia eds., 1995). Conflicts among gangs and criminally active groups account for a large share of urban homicide. City-level studies have found gang-related motives in more than one third of homicides in Chicago, 50% of the homicides in Los Angeles' Boyle Heights area, and 70% of homicide in Lowell, Massachusetts. CAROLYN BLOCK & RICHARD BLOCK, NAT'L INST. OF JUSTICE, NCJ NO. 144782, STREET GANG CRIME IN CHICAGO 1-8 (1993); George Tita, Kevin Jack Riley & Peter Greenwood, *From Boston to Boyle Heights: The Process and Prospects of a 'Pulling Levers' Strategy in a Los Angeles Barrio*, in POLICING GANGS AND YOUTH VIOLENCE 102, 102-14 (Scott Decker ed., 2003); Anthony Braga, Jack McDevitt & Glenn Pierce, *Understanding and Preventing Gang Violence: Problem Analysis and Response Development in Lowell, Massachusetts*, 9 POLICE Q. 20, 20-46 (2006).

³⁹ Law enforcement agencies in different cities use different definitions for "gang-related" crime, which affect the amount of gang-related crimes reported. For example, Los Angeles police define homicide as "gang-related" when gang members participate, regardless of motive; Chicago police use a more restrictive definition and classify homicides as "gang-related" only if there is a gang motive evident. Cheryl Maxson & Malcolm Klein, *Street Gang Violence: Twice as Great, or Half as Great?*, in GANGS IN AMERICA 71, 72-73 (C. Ronald Huff ed., 1990). In the Boston research, homicides were considered to be connected to gangs if (1) the murderer was a gang member and (2) the motivation behind the murder was known or believed to be connected to gang activity, or if (1) the victim was a gang member and (2) the motivation behind the murder was known or believed to be connected to gang activity. Thus, the killing of a gang member by another gang member in a dispute over contested turf would be considered gang-related or the killing of a non-gang bystander during the same dispute would be considered gang-related. However, the killing of a gang member by a non-gang member during a robbery attempt was not considered to be gang-related. Kennedy et al., *supra* note 25, at 231.

⁴⁰ Chronic disputes, or "beefs," among gangs were the primary drivers of gang violence in Boston. A majority of Boston youth homicides identified as gang-related were not about drugs, money, turf, or other issues in which the violence could be reasonably construed to be instrumental. They were usually personal and vendetta-like. Anthony Braga, Anne Piehl & David Kennedy, *Youth Homicide in Boston: An Assessment of Supplementary Homicide Reports*, 3 HOMICIDE STUD. 277, 277-99 (1999).

Figure 4.



While a very small proportion of Boston youth participate in gangs, they generate a disproportionate share of homicide and gun violence. In 2006, Boston had 65 active street gangs with an estimated total membership of 1,422 youth.⁴¹ According to the 2000 U.S. Census, this represents only 1.3% of 113,715 youth ages 15 to 24 in Boston. In contrast to large and semi-organized gangs in Chicago and Los Angeles, Boston gangs were (and are) mostly small, informal, and loosely organized groups of youth.⁴² Gang membership was usually associated with a specific street, neighborhood, or housing project. Certain gangs were much more

⁴¹ As many scholars observe, defining the term “gang” is a very complex issue. See, e.g., Richard A. Ball & G. David Curry, *The Logic of Definition in Criminology: Purposes and Methods for Defining ‘Gangs’*, 33 *CRIMINOLOGY* 225, 225–45 (1995). It is worth noting that while Boston authorities use the word “gang,” it is in some sense a term of convenience meaning in practice only a “self identified group of kids who act corporately (at least sometimes) and violently (at least sometimes).” Kennedy, Piehl & Braga, *supra* note 25, at 232. What “gang” means in Boston bears little resemblance to what it means in, for instance, Chicago and Los Angeles. This commonplace finding is critical to the analysis and comprehension of gang and group-related youth crime and violence. The character of criminal and disorderly youth gangs and groups varies widely both within and across cities. KLEIN, *supra* note 37, at 20. The number of Boston gangs and their membership was estimated based on focus group sessions with Boston Police officers and detectives with experience working with gangs in each of Boston’s policing districts.

⁴² Boston gangs have, on average, 22 members and range in size from only 5 to nearly 100 members, and 60% have a total membership of 20 or fewer members.

central to violence than others. For example, the Lucerne Street Doggz gang committed 30 shootings in 2006. The ten most violent gangs generated 32.4% of the citywide shootings in 2006 (122 of 377).

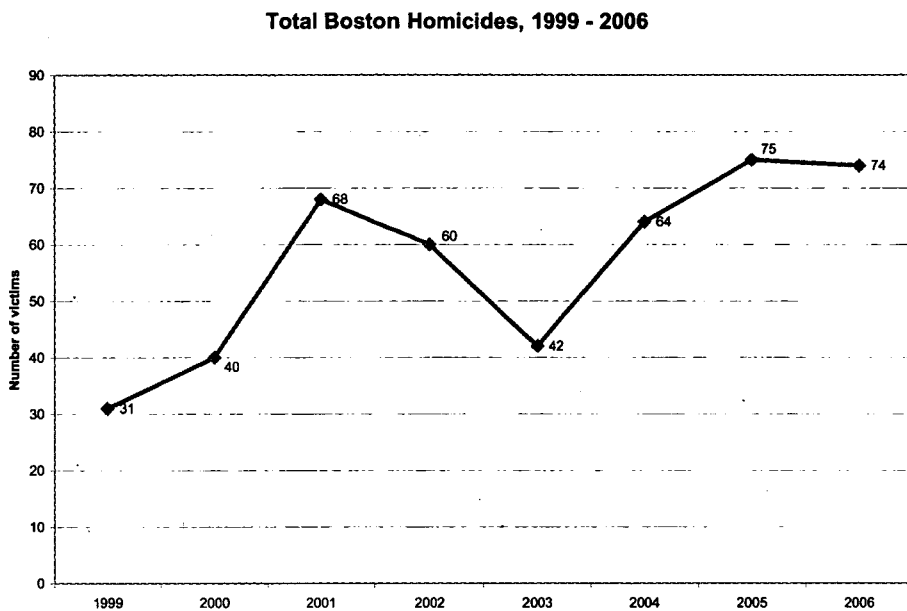
There are strong parallels between the increase in youth homicide in the late 1980s and early 1990s, and the recent increase in youth homicide. Most of the violence is highly concentrated in a few places and among few youth. These youth tend to be criminally active, gang-involved offenders who are well known to the criminal justice system and caught up in ongoing cycles of retaliatory street violence. Given the lessons learned from the 1990s, it seems like the City of Boston would have been well positioned to respond to this eerily-similar resurgence of gang violence in the 2000s. Unfortunately, it was not.

Like many other law enforcement agencies, the Boston Police Department measured its performance in preventing serious violence by monitoring yearly trends in total homicides.⁴³ The Boston Police did not separate homicide trends by specific types of circumstances or by ages of the victim. Unfortunately, this practice undermined their ability to detect that gang homicides had been growing almost linearly since 1999. As Figure 5 reveals, total homicides more than doubled from 31 in 1999 to 68 in 2001. This was followed by a decrease to 60 homicides in 2002 and a further decrease to 42 homicides in 2003. At the beginning of 2004, the City of Boston believed that serious gang violence was largely under control and existing programs and procedures were responsible for homicide decreases experienced over the past two years. An examination of Figure 4, however, which details the trend in youth gang-related homicides, indicates this belief was baseless. From 1999 forward, youth gang-related homicides increase almost linearly from 5 in 1999 to 30 in 2006. Total gang-related homicides, with victims of all ages, represented half (37) of the 74 total homicides in 2006. By focusing on overall homicide rates, the Police missed the fact that gang-related homicides steadily increased through the decade.⁴⁴

⁴³ Many police departments compare counts of FBI Uniform Crime Reports Index crimes from the current year to Index crime counts from the previous year to measure its performance in controlling crime in their respective jurisdictions. This approach limits the ability of police departments to understand longer term crime trends and important changes in subcategories of crime or victim populations. *See, e.g.,* MARK MOORE, *RECOGNIZING VALUE IN POLICING: THE CHALLENGE OF MEASURING POLICE PERFORMANCE* 119–33 (2002).

⁴⁴ During this time period, the Boston Police Department and its partners did focus intelligence gathering and enforcement actions on holding violent gang members accountable for their crimes. For instance, in April 2005, the Bureau of Investigative Services and the Bureau of Administration and Technology, under the leadership of Superintendent Paul Joyce, Sergeant John Daley, Detective Earl Perkins, and Carl Walter, established the Boston Regional Intelligence Center (BRIC) to collect and disseminate tactical intelligence on violent gangs and other crime problems. The BRIC was also responsible for developing information resources to support other law enforcement functions such as counter-terrorism and homeland security. However, the Boston Police Department did not use these information resources to unravel yearly homicide trends in a way that would have detected the steady increase in gang-related homicides. As recent as April 2006, Commissioner Kathleen O'Toole blamed the growing homicide problem on an increasing juvenile

Figure 5.



B. The End of Ceasefire

The highly successful Operation Ceasefire program ended when Lieutenant Detective Gary French, who was then the operational steward of the approach since it was first implemented in mid-1996, left the YVSF to lead the Sexual Assault Unit in January 2000.⁴⁵ The new commander did not continue the weekly Ceasefire meetings and YVSF operations devolved chiefly into reactive law enforcement approaches, such as serving outstanding warrants, to apprehend serious violent offenders.⁴⁶ During the early years of the new millennium, the Boston Police experimented with alternative approaches to violence prevention by expanding certain Ceasefire tactics to a broader range of problems such as investigating unsolved shootings, the re-entry of incarcerated violent offenders back into high-risk Boston neighborhoods, and criminogenic families in hot spot areas.⁴⁷ Broadly known as Boston Strategy II, many of these initiatives would be

population and prisoner reentry issues. O'Ryan Johnson, *Program Seen as a Prevention Tool*, BOSTON HERALD, Apr. 8, 2006, at 2.

⁴⁵ Braga & Winship, *supra* note 5, at 174.

⁴⁶ ESTHER SCOTT, KENNEDY SCHOOL OF GOVERNMENT CASE NO. 1887.0, REVISITING GANG VIOLENCE IN BOSTON 20 (2007).

⁴⁷ Braga & Winship, *supra* note 5, at 174.

recognized as innovative and effective policing practices.⁴⁸ Unfortunately, the slate of new approaches seemed to diffuse the ability of the City of Boston to deal with youth violence as no one group was focused exclusively on preventing ongoing conflicts among street gangs.⁴⁹ While many key partnerships remained intact, the powerful “network of capacity” was no longer singularly focused on preventing gang violence.

Like many urban police agencies, the Boston Police Department’s ability to maintain its community crime prevention efforts was challenged by post-September 11, 2001 changes in priorities and funding.⁵⁰ During this time period, the Boston Police had difficulty maintaining staffing levels as the city and state faced severe budget woes and the federal government channeled its funds into anti-terrorism programs. Between 2000 and 2005, the Department’s patrol force decreased by 200 officers to about 1300 active officers.⁵¹ While many studies suggest a correlation between the number of police officers and city crime rates,⁵² research evidence has confirmed that police are most effective in preventing crime when they engage a diverse set of approaches tailored to very specific crime problems.⁵³ However, as a result of manpower shortages, it became very difficult for the Boston Police to be strategic in responding to crime problems as they struggled to field enough officers to cover their basic operations—answering emergency calls for service and investigating reported crimes.

Starting in late 2003, the Department was challenged by a number of changes and events. First, Commissioner Paul Evans, who had led the force since 1994, left to take a new job running the Police Standards Unit in Britain’s Home Office, and the department was led by an acting commissioner.⁵⁴ In February 2004, Kathleen O’Toole was appointed the first female commissioner of the Boston

⁴⁸ Anthony A. Braga, *Gun Enforcement and Ballistic Imaging Technology in Boston*, in BALLISTIC IMAGING 294 (Daniel Cork, John E. Rolph, Eugene S. Meieran, & Carol V. Petrie eds., 2008); Anthony A. Braga, Anne M. Piehl & David M. Hureau, *Controlling Violent Offenders Released to the Community: An Evaluation of the Boston Reentry Initiative 2* (2008) (unpublished manuscript, on file with authors at Kennedy School of Government, Harvard University).

⁴⁹ Braga & Winship, *supra* note 5, at 174.

⁵⁰ OFFICE OF COMMUNITY ORIENTED POLICING SERVICES, U.S. DEP’T OF JUSTICE, *APPLYING COMMUNITY POLICING PRINCIPLES* POST 9/11 (2004).

⁵¹ Suzanne Smalley & Donovan Slack, *Killings Equal 10-Year High*, BOSTON GLOBE, Nov. 30, 2005, at A1.

⁵² See, e.g., Steven Levitt, *Using Electoral Cycles in Police Hiring to Estimate the Effect of Police on Crime*, 87 AMERICAN ECONOMIC REVIEW 270 (1997); Thomas B. Marvell & Carlisle E. Moody, *Specification Problems, Police Levels, and Crime Rates*, 34 CRIMINOLOGY 609 (1996).

⁵³ COMMITTEE TO REVIEW RESEARCH ON POLICE POLICY AND PRACTICES, *FAIRNESS AND EFFECTIVENESS IN POLICING: THE EVIDENCE* 5 (Wesley Skogan & Kathleen Frydl eds., 2004); David Weisburd & John E. Eck, *What Can Police Do to Reduce Crime, Disorder, and Fear?* 593 ANNALS AM. ACAD. POL. & SOC. SCI. 42 (2004).

⁵⁴ Michael S. Rosenwald & Douglas Belkin, *Police Chief Gets British Job Offer*, BOSTON GLOBE, Sept. 8, 2003, at A1; Rick Klein & Andrea Estes, *State Safety Chief Eyed for Hub Police Post, Menino to Decide Among 3 Finalists*, BOSTON GLOBE, Dec. 16, 2003, at B2.

Police.⁵⁵ While putting together her management team, Commissioner O'Toole made a first round of changes to the Boston Police command staff in late March 2004. Over the course of the spring and into the summer, the Boston Police invested a tremendous amount of time and manpower in developing and implementing security and public safety measures for the 2004 Democratic National Convention.

The year 2004 began with student rioting during the celebration of the New England Patriots Superbowl victory, in which the 21-year-old son of a Massachusetts state trooper was killed by a drunk driver.⁵⁶ In fall 2004, while attempting to control rioting that stemmed from the celebration of the Red Sox win over the Yankees in the American League Championship Series, a Boston Police officer accidentally shot and killed a 21-year-old college student with a supposedly less-than-lethal weapon.⁵⁷ Shortly after this tragedy, Commissioner O'Toole once again shook up the Boston Police command staff by demoting two superior officers who had tactical command of the Red Sox security detail.

Even after the command staff shake-ups and security challenges of the political convention and unruly victory celebrations were past, the Police Department did not, in the eyes of many observers, mount an effective, coordinated campaign to halt the outburst of youth violence in Boston.⁵⁸ Instead, the Boston Police launched a series of short-term campaigns—with names like Operation Neighborhood Shield, Operation Rolling Thunder, Operation Home Safe, and Operation Red Zone—which the *Boston Globe* described as “intensive crackdowns to rid streets of violent criminals ... and make neighborhoods safe for residents.”⁵⁹ These repeated efforts to saturate dangerous areas with police officers did not produce impressive results. The *Globe* reported in 2006 that police officials “now acknowledge that the sweeps were not as effective as they had hoped and led primarily to arrests for trespassing, drug possession, and other misdemeanors, as opposed to violent or gun crimes. Some suspects were taken into custody just on motor vehicle charges.”⁶⁰ Community members certainly did not appreciate the harsh, disruptive, and sometimes indiscriminate actions associated with these law enforcement crackdowns. “It’s never good for

⁵⁵ Andrea Estes & Michael S. Rosenwald, *Historic Moment for Police: O'Toole Takes Reins, Promises a "Team Effort,"* BOSTON GLOBE, Feb. 20, 2004, at A1.

⁵⁶ Brian McGrory, *A Downpour of Fallout*, BOSTON GLOBE, Feb. 6, 2004, at B1.

⁵⁷ DONALD K. STERN ET AL., BOSTON POLICE DEPARTMENT INDEPENDENT COMMISSION, COMMISSION INVESTIGATING THE DEATH OF VICTORIA SNELGROVE 1 (MAY 25, 2005), available at <http://www.cityofboston.gov/police/pdfs/report.pdf>.

⁵⁸ SCOTT, *supra* note 46, at 12.

⁵⁹ Suzanne Smalley, *Hub Police Sweeps Get Slim Results*, BOSTON GLOBE, Nov. 26, 2006, at A1.

⁶⁰ *Id.*

relations,” the Ten Point Coalition’s Chris Sumner told the *Globe*, “when you arrest the wrong people.”⁶¹

To some observers, the ineffectual police response was due, in part, to infighting within the command staff—specifically, between Superintendent Robert Dunford, the new head of the Bureau of Field Services, and Superintendent Paul Joyce, head of the Bureau of Investigative Services.⁶² Dunford had oversight of the district-based detectives and uniform patrol officers and Joyce commanded key specialized units such as the YVSF, Homicide, Special Investigations, and Drug Control Units. Each spearheaded his own anti-gang initiative—Dunford supervised Operation Home Safe, while Joyce led Operation Red Zone.⁶³ The local media coverage reported that Dunford and Joyce did not support each other in their violence prevention campaigns.⁶⁴ According to media accounts, O’Toole, who generally “left the day-to-day operations of the department in the hands of [Dunford and Joyce],”⁶⁵ did not choose to step in and referee the conflict, which continued unabated throughout her tenure. Moreover, the divisions at the top reached down all the way through the Police Department and even to outside organizations that worked with it. As one observer told the *Globe*, “There are people who are loyal to doing things Dunford’s way, and people who are loyal to doing things Paul Joyce’s way.”⁶⁶

In May 2006, after a tenure of 26 months, Commissioner O’Toole left the Boston Police Department to take a job as Chief Inspector of the Garda Síochána Inspectorate, an oversight body of the Irish national police service (An Garda Síochána).⁶⁷ An acting Commissioner was soon appointed, but this did little to calm the infighting between the Dunford and Joyce factions. In many ways, the conflict seemed to intensify as each faction tried to position their leader as the heir apparent to the open Commissioner position. As a result of this ongoing and deep rift between the patrol and investigative forces, the Boston Police Department, as an organization, was poorly positioned to focus its resources on highly-active gangsters and hot spot locations that were generating the new wave of violence.

⁶¹ *Id.*

⁶² Michele McPhee & O’Ryan Johnson, *Hub Bracing for Bloodshed; Retaliation Feared in Gang Leader’s Slay*, BOSTON HERALD, Nov. 30, 2006, at 5.

⁶³ *Id.*

⁶⁴ Donovan Slack, *Police Commissioner Job is the Talk of Beantown*, BOSTON GLOBE, May 9, 2006, at B1.

⁶⁵ Michele McPhee, *Commish Puts Police Commanders on Spot*, BOSTON HERALD, Jan. 31, 2007, at 12.

⁶⁶ Suzanne Smalley, *New Commissioner Focuses on Gun Crimes*, BOSTON GLOBE, Dec. 4, 2006, at A1.

⁶⁷ Donovan Slack, *O’Toole Stepping Down as Boston Police Commissioner*, BOSTON GLOBE, May 9, 2006, at A1.

C. Conflict Among Boston's Black Ministers

Like the Boston Police, the black ministers of the Ten Point Coalition were also not well positioned to respond to increased gang violence in the city. The Ten Point Coalition and the Black Ministerial Alliance, Boston's organization of traditional, mainstream black churches, remained powerful political forces in the city who engaged in public debate over important issues such as excessive use of force by the police.⁶⁸ However, beset by rivalries among key ministers and a lack of focus on community organizing, the Ten Point clergy were notably absent as Boston grappled with rising gang violence. In an August 7, 2004 editorial, the *Boston Globe* wrote, "with the body count rising from gunfire in minority neighborhoods, Mayor Menino early this week reached out to the city's black ministers for help only to find many of them on vacation or otherwise occupied. He exploded."⁶⁹ The editorial lamented the withdrawal of many of the black clergy from street work. The *Globe* stated, "With the exception of programs affiliated with the Rev. Eugene Rivers and the Ella J. Baker House in Dorchester, direct outreach to youths on the corners and in the parks where they make trouble has fallen off dramatically."⁷⁰ The city was "awash in violence," the editorial continued, and "the glory days of Boston are not likely to be seen again without the return, in force, of large-scale street ministries."⁷¹

Over the course of the 1990s, the Ten Point Coalition had grown considerably in size and stature and attracted considerable attention from the media and interested funders. The Ten Point and Baker House had acquired an estimated ten million dollars from state and federal agencies and from private foundations over roughly a 13 year time period.⁷² With fame and prosperity came dissension among the leaders of the Ten Point. As the Coalition's public profile grew more prominent, Rev. Jeffrey Brown recalled, "tension increased around issues of organization ... and who gets to speak for Boston Ten Point. When we weren't on anyone's radar screen, that was never an issue, because we met weekly, so we would collectively talk about how we would say things, and then decide who would speak [for] the group. And we were very careful to make sure that everybody got 'face time,' as we would say."⁷³

As a result of the tension, the Coalition split into three separate organizations—The Boston Ten Point Coalition with Reverend Hammond as its head, The National Ten Point Coalition with Reverend Rivers as its head, and The International Ten Point Coalition with Reverend Brown as its head. Although

⁶⁸ Braga & Winship, *supra* note 5, at 182.

⁶⁹ Editorial, *Faith in the Streets*, BOSTON GLOBE, Aug. 7, 2004, at A10.

⁷⁰ *Id.*

⁷¹ *Id.*

⁷² Charles A. Radin, *A Shattered Alliance*, BOSTON GLOBE, Feb. 14, 2006, at B1.

⁷³ SCOTT, *supra* note 46, at 6.

Reverends Hammond and Brown continued to work together, Reverends Hammond and Rivers parted ways. The *Globe* observed,

[The] cop-clergy pact has evolved into a kind of cottage industry, bringing millions in federal funds and private grants to the police department and religious-based groups that built the coalitions. In part for that reason, few have openly admitted that there may be chinks in Boston's armor. But privately, many in law enforcement and youth services warn that the divisions being sown by men of the cloth threaten the city's reputation and its tenuous hold on public safety.⁷⁴

In the early 2000s, the Boston Ten Point Coalition became heavily invested in direct social service provision to high-risk youth and needed to constantly acquire new grants to maintain its infrastructure. As community-based crime prevention funds evaporated, the organization lost focus as it found itself constantly chasing grant money and drifting further from its central mission.⁷⁵ As Reverend Ray Hammond recalled, the Coalition became "involved in HIV and AIDS work. [That's] all good and important stuff, but that's not really our primary issue."⁷⁶ According to Reverend Jeffrey Brown, there were "management issues," as well, involving the Coalition's executive director who was not adept at running an organization.⁷⁷ Most troubling to Brown was the "evolution of Ten Point," during this period, from "a movement to an agency." Originally, Brown says, the "focus of the [Coalition's] activity . . . was to serve the [member] churches as they served youth. So it was an organization that empowered churches to reach and serve at-risk youth."⁷⁸ As the Ten Point evolved into a direct social service provision organization, Brown suggests that it led to a "decrease in the number of churches that were active in Ten Point, and an increase in agencies that became active."⁷⁹

The change was readily apparent in the Coalition's monthly meetings. According to Brown, during the group's early years, the meetings were largely attended by "pastor and minister representatives," who came to discuss "what a church could do on a particular aspect of Ten Point, or of at-risk youth."⁸⁰ The monthly meetings would include intensive discussion on current community issues and practical topics for the clergy such as training on how to do a neighborhood walk. As Brown describes, "[a]nd so you would have these how-to sessions, and

⁷⁴ Francie Latour, *Friction Among Clergy Members Seen in Partnership*, BOSTON GLOBE, Nov. 2, 2001, at B5.

⁷⁵ SCOTT, *supra* note 46, at 9.

⁷⁶ *Id.*

⁷⁷ *Id.*

⁷⁸ *Id.*

⁷⁹ *Id.*

⁸⁰ *Id.*

pastors would come together and talk about these issues and how [they] would impact their congregations, or impact them personally.”⁸¹ As the mission of the Coalition evolved, the meetings became

collaborative sessions with other agencies. . . . So you would have the Weed and Seed [a community-based Justice Department program] coordinator there; you would have the Boys and Girls Club representatives there; you would have the Y. You would have all these other agencies, and they would talk about direct service issues, and how community agencies and faith-based agencies could work more closely together.⁸²

The change in the meetings reflected a drift away from the vision that had motivated the Ten Point Coalition in its early days. According to Brown,

I always felt that at the heart of Ten Point was a theological shift in the way churches did church work. I always felt that it was a movement—in a way, the next leg . . . in the civil rights saga. I felt it was a combination of rights and responsibilities: . . . the rights of urban kids to live in a violence-free culture, and the responsibility of the churches to help create and maintain that environment. . . . And when we became an agency, that kind of got lost in the translation.⁸³

By 2004, the Ten Point Coalition was in debt and seriously lagging in its fundraising efforts.⁸⁴ Christopher Sumner, who had previously worked in a number of local nonprofits, was hired as the new executive director. Sumner was immediately tasked with reinvigorating the Coalition by raising funds to eliminate the budget deficit and, with the help of a consultant, developing a business plan to reorganize its finances and refocus its agenda.

D. The Cape Verdean Community

Cape Verdean youth were a notable feature of Boston’s surging gang violence problem. Between 1999 and 2004, 14 of the 111 gang-related homicides in the city (12.6%) were attributed to the activity of small gangs of mostly Cape Verdean

⁸¹ *Id.*

⁸² *Id.*

⁸³ *Id.*

⁸⁴ *Id.* at 10.

youth based in the Upham's Corner and Bowdoin/Geneva sections of Boston.⁸⁵ Publicly, in describing this violence, the Boston Police Department used overly-broad terms such as "Cape Verdean Violence" and "Cape Verdean Youth Violence."⁸⁶ This terminology was offensive to Boston's Cape Verdean community as it failed to make the important distinction between the community as a whole and small numbers of violent individuals.

The Boston Police engaged the Ten Point Coalition and Baker House to assist in their efforts to engage the Cape Verdean community in a partnership to prevent youth violence. Initially, certain Ten Point clergy did more harm than good. On May 13, 2003, Reverend Rivers criticized Boston's Cape Verdean community on a local public television program for its complicity in the increasing youth violence affecting Boston.

You got a bunch of young dudes who are out of control because the community is largely . . . leaderless in terms of male leadership. . . . The women are doing what every good mom does, trying to keep Pedro or Julio or whatever the hell his name is out of trouble. Where are the men? You got all those bars up and down Dudley Street where these guys hang out, sipping beer, telling lies, you know, talking about the women they run around with. Right.⁸⁷

Rivers initially refused to provide an apology to the Boston area's estimated 125,000 Cape Verdean community members (he later issued a perfunctory apology on June 7, 2003), insisting that it was Cape Verdean men that owed their community an apology for not being active fathers.⁸⁸

While Rivers' comments represented an extreme position, they also underscored some of the controversial themes surrounding Boston's response to the youth violence that was affecting its Cape Verdean neighborhoods.⁸⁹ First and foremost, Rivers' comments were representative of much of the frustration within the city around the persistence of so-called "Cape Verdean Violence."

⁸⁵ David Hureau, *Building Community Partnerships and Reducing Youth Violence in Boston's Cape Verdean Neighborhoods* 15 (2006) (unpublished Harvard Kennedy School policy analysis exercise, on file with authors).

⁸⁶ *Id.* at 2.

⁸⁷ Francie Latour & Michael S. Rosenwald, *Voluble Rivers Once Again Stirs Controversy*, BOSTON GLOBE, May 26, 2003, at B4. In his analysis, David Hureau notes, "Pedro and Julio are certainly not typical Cape Verdean names—the names used by Rivers suggest an apparent ignorance of Cape Verdean culture." Hureau, *supra* note 85, at 4.

⁸⁸ This incident was not the first time Rivers had generated controversy in Boston's Cape Verdean community. Earlier in the year, his Ella J. Baker House had passed out anti-crime fliers to Cape Verdean youth reading "Ya bring the noise, ya get the noise. Welcome to America!" The maker of the flyers was unaware, or did not care, that over 75% of Cape Verdean youths in Boston were born in the United States. Hureau, *supra* note 85, at 5.

⁸⁹ *Id.*

Furthermore, Rivers' words were emblematic of the lack of understanding many Bostonians had (and continue to have) regarding the culture and background of their Cape Verdean neighbors.⁹⁰ And perhaps most tellingly, Rivers' remarks assured that the community-based solutions to solving youth violence in the Cape Verdean community were not going to be found through the traditional and trusted partners of the Boston Police Department—Ten Point Coalition ministers. Because the Cape Verdean community is overwhelmingly Roman Catholic, a faith-based effort led by mostly Protestant ministers was interpreted as culturally inappropriate in the eyes of many Cape Verdeans. By mid-2003, it was clear that a new path to ending youth violence would have to be forged in Boston's Cape Verdean neighborhoods.⁹¹

E. Changes in Community Attitudes

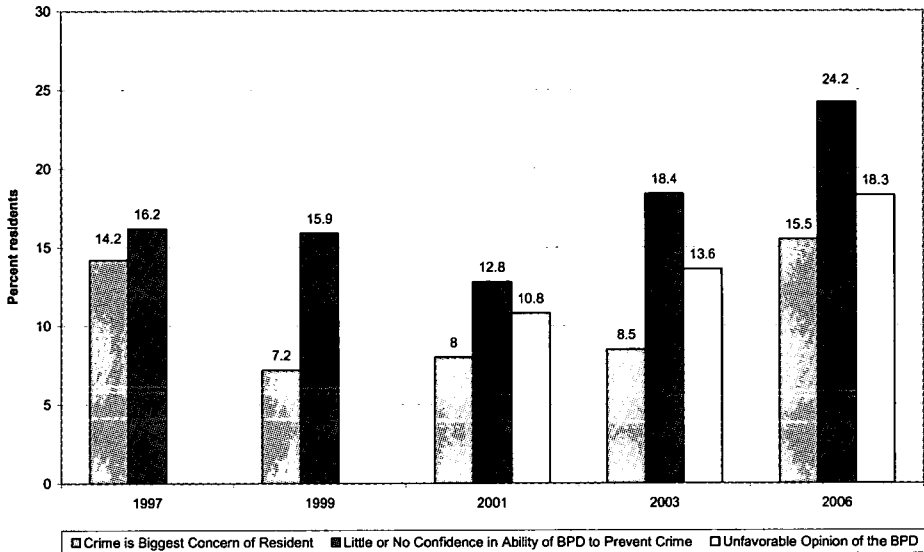
The increasing violence, lack of a coordinated response, and ineffectual community partnerships led to increasing community dissatisfaction with the Boston Police Department. Using data from the Boston Public Safety Survey, Figure 6 presents trends in public perceptions of the Boston Police along three key dimensions between 1997 and 2006.⁹² In general, over the course of the most recent youth violence epidemic, Boston residents became more concerned about crime, less confident in the ability of the Boston Police to prevent crime, and had a less favorable opinion of the Boston Police. In 1997, 14.2% of Boston residents reported crime as their biggest concern. Crime as the biggest concern of Boston residents dropped to only 7.2% in 1999, remained low in 2001 and 2003, and then increased to 15.5% in 2006. In 1997, only 16.2% of Boston residents had little or no faith in the Boston Police to prevent crime; by 2006, this lack of faith in the police had risen to include nearly one quarter of Boston residents. In 2001, the year this question was first included in the survey, only 10.8% of Boston residents had an unfavorable opinion of the Boston Police; by 2006, this figure had risen to 18.3% of residents with an unfavorable opinion of the Boston Police.

⁹⁰ *Id.*

⁹¹ *Id.*

⁹² The Boston Public Safety Survey is a phone survey of Boston residents managed by the Boston Police Department and administered every two years by a private polling company. Beginning in 1997, the survey engaged stratified sampling techniques to ensure a sample that was representative of Boston residents across BPD districts (e.g., in 1997, 3046 residents were surveyed). Due to budget shortfalls, the survey was delayed by one year in 2005 and administered in 2006.

Figure 6.

Boston Public Safety Survey, 1997 - 2006

The recent increase in public dissatisfaction with the Boston Police does not seem to be strongly associated with noteworthy changes in complaints against the police for excessive use of force or violations of due process rights. However, an analysis of Boston Police complaint data suggests that minority citizens were experiencing elevated levels of disrespectful treatment during the early 2000s.⁹³

⁹³ From 1993 (when electronic data became available) to 2001, we were able to determine the number of *cases* filed by citizens against BPD officers, but were unable to reliably measure the number of *complaints* associated with each case. This problem arose because BPD's tracking system during that era only provided the nature of the complaint, i.e. "use of force" or "Violation of Rule 102, Section 4" without specifying how many times this complaint should be applied. For example, if a case involved two officers, and complaints of "use of force" and "disrespectful treatment" were made, the BPD tracking system made it impossible to tell whether this case should result in two, three, or four complaints—or possibly many more if the complaint was issued by more than one complainant. However, this information became available with the advent of the 2001 case tracking system. Using an adjustment methodology, we developed reasonable estimates of the number of complaints made against officers from 1993–2000. Making use of the precise data available after 2001, a case to complaint ratio of 2.6 was calculated for the period of 2001–2006 and applied retrospectively to the reliable figure of citizen complaint cases from 1993–2000. From these estimates, further estimates were generated for complaint categories of interest (use of force, disrespectful treatment, rights/due process violations) by calculating the underlying percentage of each category's incidence year by year and applying these category percentages to the new estimated complaint totals. We believe this adjustment methodology allows for a standardized way of understanding trends in community complaints against BPD officers over the 1993–2006 time period.

Figure 7 presents the yearly number of total complaints against Boston Police officers made by community members between 1993 and 2006. Consistent with the new community policing efforts engaged by the Boston Police in the early 1990s and the developing partnership with the black clergy, the number of citizen complaints decreased by 50% from 629 complaints in 1993 to 304 complaints in 1997. The yearly number of complaints then remained relatively stable between 1998 and 2006. Further analysis suggests, however, that there were important shifts in the police-citizen interactions experienced by minority residents during this time period.

Figure 7.

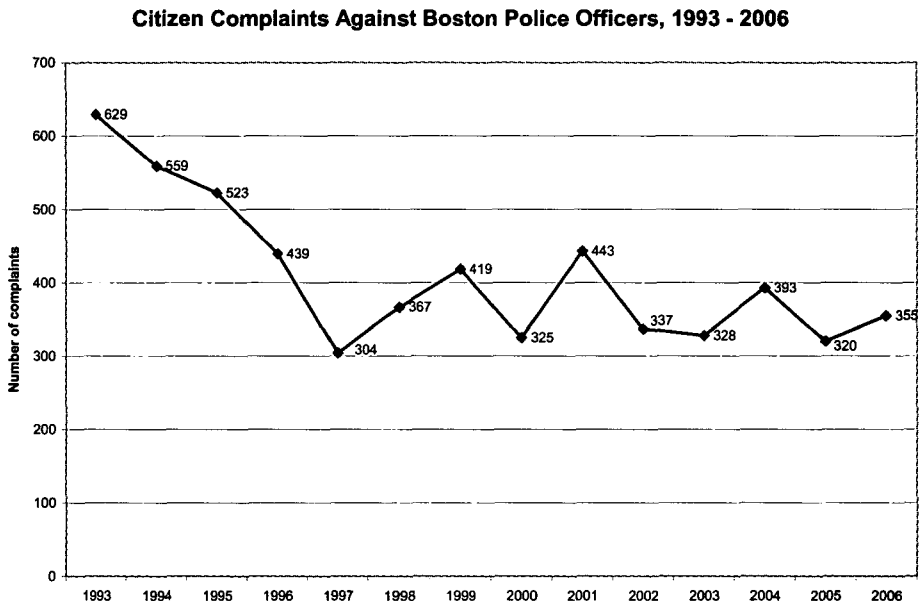


Figure 8 reveals that minority citizens make more complaints against Boston Police officers each year when compared to their white counterparts. However, while the number of complaints made by both white and minority residents against the Boston Police decreased between 1993 and 1999, the number of complaints made by minority citizen doubled from 163 complaints in 1997 to 321 complaints in 2001. Minority complaints decreased to 222 in 2002 and then remained relatively flat through 2006. Figure 9 documents that the number of complaints made by minority residents for disrespectful treatment by Boston Police officers increased from 27 complaints in 1997 to a peak of 112 complaints in 2001 and remained relatively high in 2006 at 93 complaints. Between 1993 and 2006, minority complaints for excessive force exhibited a more volatile trajectory

characterized by a peak in 2001 but without a clear trend. Minority complaints for due process rights violations were relatively flat between 1993 and 2006.

Figure 8.

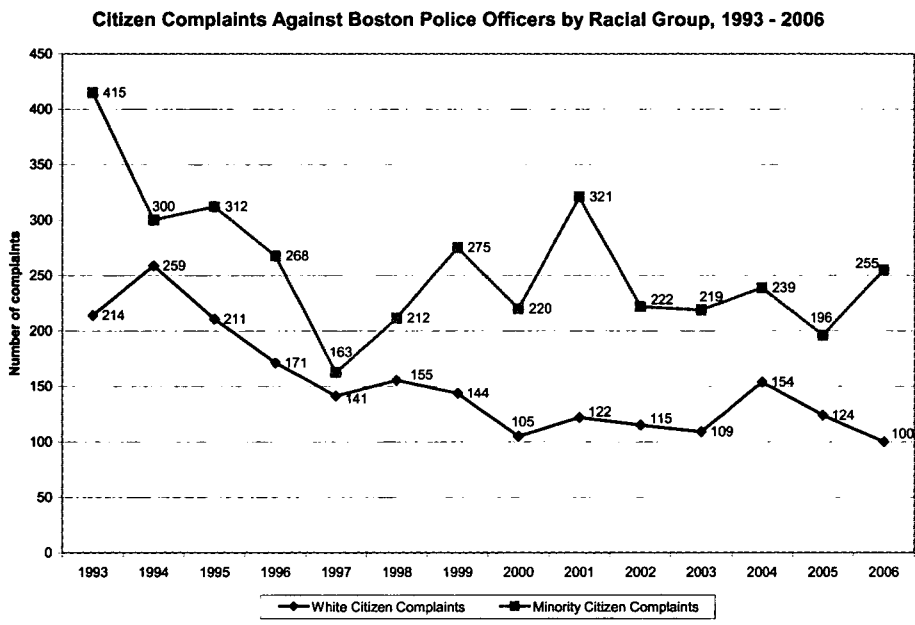
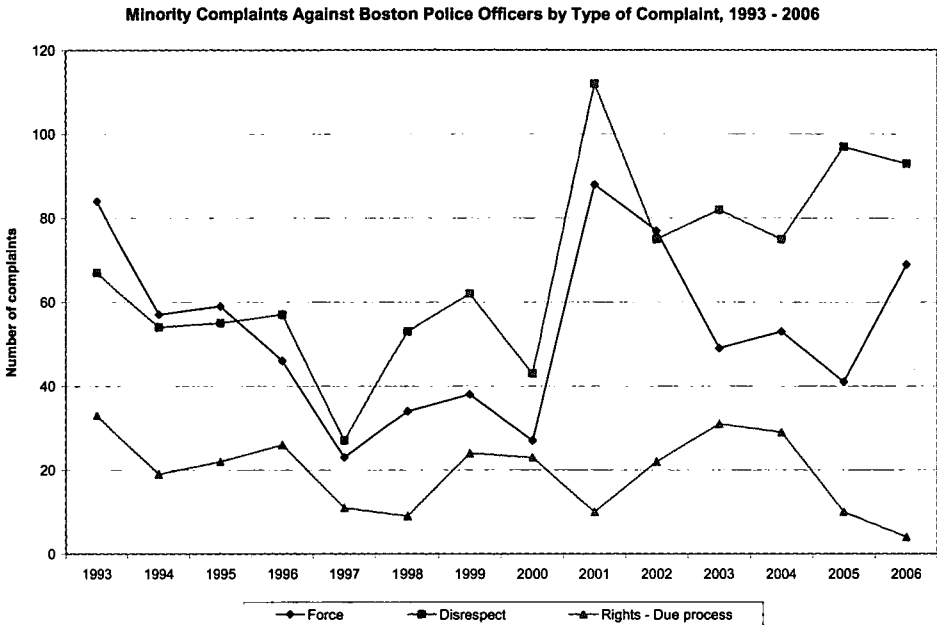


Figure 9.



IV. RECLAIMING FAITH? RESTORING EFFECTIVE POLICE-COMMUNITY PARTNERSHIPS

While the preceding sections make the case that the “Boston Miracle” unraveled during the early years of the 2000s, the City of Boston seems to be positioning itself to reapply the lessons learned in the 1990s in a series of efforts to halt gang violence and improve police-community relations. For instance, in mid-2006, the Boston Police Department’s Bureau of Field Services reinvigorated its community policing efforts by engaging the “Same Cop Same Neighborhood” philosophy of the 1990s in selected high-risk neighborhoods.⁹⁴ We feel very optimistic that Boston will, once again, be noted for its effective police-community partnerships to address serious youth violence.

To deal with complex gang problems, cities need to blend multiple strategies such as community organization, strategic law enforcement, and the provision of social services and employment opportunities.⁹⁵ Operation Ceasefire was a model

⁹⁴ Anthony A. Braga, *Boston Community Policing*, in *ENCYCLOPEDIA OF POLICE SCIENCE* 94, 94–98 (Jack R. Greene ed., 2007).

⁹⁵ G. DAVID CURRY & SCOTT H. DECKER, *CONFRONTING GANGS: CRIME AND COMMUNITY* 141–64 (1998); IRVING A. SPERSEL, *THE YOUTH GANG PROBLEM: A COMMUNITY APPROACH* 145–281 (1995).

example of such an approach.⁹⁶ Boston desperately needed to refocus its interagency network of capacity on preventing violence among its feuding street gangs. In the spring of 2006, the Boston Police Department began to experiment with the Operation Ceasefire approach in a small number of neighborhoods suffering from ongoing gang conflicts.⁹⁷ Once again, this violence prevention initiative was a collective effort involving the Boston Police and other criminal justice agencies, social service providers, and community-based partners. As part of the Bureau of Field Services' Districts B-2 and E-13 Crosstown initiative, the most promising application of the Ceasefire approach was implemented at the Bromley-Heath Housing Project in District E-13 under the leadership of Lieutenant Detective Gary French, who was then in charge of Area E detectives. Reverend Brown was engaged as a lead community partner in the E-13 initiative and, with Captain James Claiborne, Lieutenant Detective Jack Danilecki (from District B-2, serving Boston's Roxbury neighborhood) and French formed a strong working relationship with Mildred Hailey, who was in charge of the resident management group at Bromley Heath, and other community members.

In the E-13 district, the Ceasefire working group was focused on a violent conflict between the Bromley-Heath gang and H-Block gang, located in a nearby Roxbury neighborhood bordered by streets beginning with the letter "H" (Holworthy, Humboldt, Homestead, Hutchings, and Harold streets). As Ceasefire operations unfolded in Bromley-Heath, another tool was added to this multifaceted approach—facilitating a truce between these rival gangs.⁹⁸ While not an entirely new idea, the addition of this strategy was primarily driven by two basic underlying premises: (1) that it was more desirable to attempt to address (and perhaps resolve) the underlying conflicts that cause gang violence than to reactively address its symptoms (shootings, homicides, cycles of violence); and (2) that the young men who make up these gangs and are the victims of its violence do not have the social tools necessary to resolve these underlying conflicts peacefully, thus they require outside assistance in order to engineer mediations that could resolve conflicts. It is important to note that gang members did not receive a law enforcement "pass" while participating in the truce process. Gang members were explicitly told that any past or ongoing criminal behavior would be addressed. For instance, over the course of the initiative, certain members of the Heath Street group were arrested for a variety of crimes including illegal drug sales and carrying guns.⁹⁹

⁹⁶ Anthony Braga & David Kennedy, *Reducing Gang Violence in Boston*, in *RESPONDING TO GANGS: EVALUATION AND RESEARCH* 266, 277–83 (Winifred L. Reed & Scott H. Decker eds., 2002).

⁹⁷ SCOTT, *supra* note 46, at 12.

⁹⁸ Anthony A. Braga & Jeffrey L. Brown, *Negotiating Gang Peace*, *BOSTON GLOBE*, Mar. 31, 2007, at A11; Suzanne Smalley, *2 Gangs Find Real Peace, in Secret*, *BOSTON GLOBE*, Nov. 5, 2006, at A1 [hereinafter Smalley, *2 Gangs*]; Suzanne Smalley, *Menino Looks to Replicate Gang Truce*, *BOSTON GLOBE*, Nov. 6, 2006, at B1; Adrian Walker, *Best Hope for Bromley*, *BOSTON GLOBE*, Jan. 22, 2007, at B1.

⁹⁹ See Braga & Brown, *supra* note 98, at A11.

The gang truce was not a perfect process and was definitely not a panacea for Boston's gang violence problem. Not all gang youth were willing to resolve long-standing conflicts with their rivals. The tragic murder of 20-year-old Jahmol Norfleet, a lead participant in the truce between Heath Street and H-Block, served as a painful reminder of the reality of street violence in Boston.¹⁰⁰ Nonetheless, the gang truce process generated considerable interest in Boston's communities suffering from violence.¹⁰¹ In conjunction with other Ceasefire actions, it seemed to add value to the city's response to gang violence. While a rigorous evaluation has not been completed, at a time when shootings in Boston were on the rise, shootings in the Bromley-Heath Housing Project and the H-Block areas decreased by 53% after the gangs met to agree to stop the ongoing violence.¹⁰² Tired of ineffective and heavy-handed enforcement operations like Operation Neighborhood Shield, the community was very supportive of a project that sought to create peace among its youth. Importantly, the truce was not a program that was imposed by law enforcement agencies on the community. Through the joint work of the Ten Point Coalition and Boston Police, residents of the Bromley-Heath Housing Project and from the community in the H-Block neighborhood of Roxbury were involved in the genesis of the idea and were embedded in the process since its inception.

At the beginning of December 2006, Edward F. Davis III, former Chief of the Lowell, Massachusetts, Police Department and a strong advocate of community policing, was sworn in by Mayor Menino as the new Commissioner of the Boston Police Department. While the Chief of Police in Lowell, Davis achieved a 60 percent reduction in overall crime by engaging an analytic approach to understand the underlying conditions that generate ongoing crime problems and community concerns. In addition to hiring a proven police leader as the new Commissioner, Mayor Menino also authorized the hiring of new police officers to bring the total force up to 2200 officers, the same number on the force in 2001.¹⁰³

Davis immediately made the reduction of serious violent crime the number one priority of the Boston Police and promoted Gary French to Deputy Superintendent with oversight of the YVSF, school police unit, and the tactical bicycle unit. With the support of Davis and his command staff, French immediately started to reinstate the Ceasefire approach as a citywide, interagency effort to disrupt ongoing cycles of gang violence. Commissioner Davis also engaged the Ten Point Coalition and Black Ministerial Alliance as key partners in

¹⁰⁰ David Abel, *Gang Leader's Slaying Endangers Truce*, BOSTON GLOBE, Nov. 29, 2006, at A1.

¹⁰¹ See Braga & Brown, *supra* note 98, at A11; Smalley, *2 Gangs*, *supra* note 98, at A1.

¹⁰² This simple trend analysis compares shootings during the ten months before the truce to ten months following the truce. The number of shootings decreased from 19 incidents during the pre-treatment time period to only 9 incidents during the treatment time period.

¹⁰³ Suzanne Smalley, *Police to Launch Recruiting Campaign*, BOSTON GLOBE, Feb. 19, 2007, at A1.

implementing his vision of community policing in Boston. In April 2007, neighborhood clergy and Boston police officers walked the streets together in mostly minority neighborhoods of Grove Hall in Roxbury, the Bowdoin and Geneva sections of Dorchester, and the Franklin Hill and Franklin Field housing projects in Mattapan and Dorchester.¹⁰⁴ As they went from door-to-door in these neighborhoods, local ministers introduced the officers to community members and encouraged ongoing dialogue between the police and the residents. While participating in the police-clergy neighborhood walks, Davis commented, "The basis for community policing is relationships. This isn't rocket science."¹⁰⁵ The cornerstone of Davis' community policing efforts is known as the Safe Street Team initiative. Teams of officers are permanently assigned to gun violence hot spot areas, required to walk their beats, form working relationships with local businessmen and residents, and engage problem-oriented policing techniques in reducing violence.

At face value, these approaches seem to be generating some noteworthy violence prevention gains. According to FBI Uniform Crime Reports statistics recently released by the Boston Police, homicides declined nearly 11% and shootings fell more than 14 % in 2007 when compared to 2006 figures.¹⁰⁶

V. CONCLUSION

In 2000, Operation Ceasefire was discontinued, ending a set of policy initiatives that had successfully reduced youth violence during the 1990s. The existing network of criminal justice, social service, and community-based agencies was no longer directly focused on disrupting ongoing cycles of gang violence in Boston. Between 2001 and 2006, gang-related homicides grew as conflicts among gangs continued largely unchecked. Unfortunately, the steady growth in gang homicides garnered little formal attention as the Boston Police did not carefully examine changes in components of the homicide rate during this time period. Problematic relationships within the Boston Police Department and Ten Point Coalition further prevented these agencies from carefully constructing and mounting a coordinated response to serious violence among Boston gang members.

These factors facilitated the implementation of prevention programs that were not well focused on the small number of places and people that generated the bulk of homicides and shootings in Boston. Particular Boston Police initiatives, such as Operations Rolling Thunder and Neighborhood Shield, were perceived as indiscriminant and overly aggressive by many inner-city minority community

¹⁰⁴ Brian R. Ballou, *Walking the Beat, Bridging a Gap*, BOSTON GLOBE, Apr. 15, 2007, at A1.

¹⁰⁵ *Id.*

¹⁰⁶ Maria Cramer, *2007 Drop in Crime Buoy Hub Leaders*, BOSTON GLOBE, Jan. 1, 2008, at B1.

members. During this time period, Ten Point ministers had largely withdrawn from street-level violence prevention work, and some unintentionally exacerbated tensions between the Boston Police and the Cape Verdean community on gang violence issues. Homicides and shootings increased without abatement, citizen perceptions of the Boston Police grew increasingly negative, and Boston Police officers generated more complaints of disrespectful treatment from minority residents. After receiving national acclaim for its community partnerships and ability to prevent youth violence, the Boston Police Department suddenly found itself in a legitimacy crisis.

To observers in the public management field, the unraveling of the so-called "Boston Miracle" may not be surprising. It is challenging to sustain effective collaborations over time. No one institution by itself can mount a meaningful response to complex youth violence problems. Institutions need to coordinate and combine their efforts in ways that could magnify their separate effects. There are strong reasons for relying on collaborations that span the boundaries that divide criminal justice agencies from one another, criminal justice agencies from human service agencies, and criminal justice agencies from the community.¹⁰⁷ Such collaborations are necessary to legitimize, fund, equip, and operate complex strategies that are most likely to succeed in both controlling and preventing youth violence.¹⁰⁸

The difficulty, however, is that collaborative efforts are expensive, fragile, and unreliable.¹⁰⁹ It is very difficult to implement and sustain initiatives that draw on assets and capabilities distributed across different organizations. It is also important to recognize that the capacity of individual organizations to participate in collaborative enterprises can vary over time. Two lead organizations in Boston's network of capacity were afflicted with serious internal problems at a time when gang violence was rising and strong preventive action was desperately needed. As such, Boston's ability to implement focused, multi-faceted violence prevention strategies, such as Operation Ceasefire, was seriously limited.

The new millennium brought a series of challenges to the viability of Boston's acclaimed police-community relationship facilitated by the close partnership between Ten Point ministers and Boston Police officers. After several years of ineffectual responses to a new wave of youth violence, both agencies now seem to be appropriately focused on community-based violence prevention work and, once again, have adopted the Ceasefire approach in responding to outbreaks of gang violence. There can be no doubt that their past history of successful collaboration has inspired the belief that by working together they can succeed again. Hopefully, this belief is well-founded.

¹⁰⁷ Mark Moore, *Creating Networks of Capacity: The Challenge of Managing Society's Response to Youth Violence*, in *SECURING OUR CHILDREN'S FUTURE: NEW APPROACHES TO JUVENILE JUSTICE AND YOUTH VIOLENCE* 338 (Gary Katzmann ed., 2002).

¹⁰⁸ *Id.*

¹⁰⁹ *Id.*